

CLOSED

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:94-cv-08662-HB**

Helbrans v. Comm. of Corr. Serv., et al
Assigned to: Judge Harold Baer, Jr
Demand: \$0
Cause: 42:1981 Civil Rights

Date Filed: 12/01/1994
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Rabbi Shlomo Helbrans**

represented by **Gerald L. Shargel**
1585 Broadway
NY, NY 10036
212/969-5670
LEAD ATTORNEY

Nicholas A. Gravante
Duker & Barrett
1585 Broadway, 19th Fl.
New York, NY 10036
212/ 969-5600
LEAD ATTORNEY

V.

Defendant

**Commissioner of Department of
Correctional Services of the State of
New York**

Defendant

**Warden of Rikers Island
Correctional Facility**

Defendant

**Commissioner of Department of
Correctional Services of the City of
New York**

Date Filed	#	Docket Text
12/01/1994	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$ 120 RECEIPT # 228198 (sc) (Entered: 12/01/1994)

12/01/1994	2	Case Information Statement Addendum and Case Designation to a Magistrate Judge filed. Purs. to statement, it is suggested that the case be classified as unknown. Case is designated to Magistrate Judge Dolinger. (sc) (Entered: 12/01/1994)
12/01/1994	3	ORDER TO SHOW CAUSE by Shlomo Helbrans Show Cause Hearing set for 12/7/94 for preliminary injunction against defts etc. (signed by Judge Robert W. Sweet); Copies mailed. (sc) (Entered: 12/01/1994)
12/01/1994	4	AFFIDAVIT in support of Leib Waldman by Shlomo Helbrans Re: [3-1] motion for preliminary injunction against defts etc. (sc) (Entered: 12/01/1994)
12/01/1994	5	AFFIDAVIT in support of Gerald Shargel by Shlomo Helbrans Re: [3-1] motion for preliminary injunction against defts etc. (sc) (Entered: 12/01/1994)
12/01/1994	6	MEMORANDUM by Shlomo Helbrans in support of [3-1] motion for preliminary injunction against defts etc. (sc) (Entered: 12/01/1994)
12/02/1994	9	Affidavit of service of Lettr dtd. 12/1/94, Civil Cover Sheet; Order to Show Cause, Cmplt, Affdvts & Memo in Supporti as to NYS Dept of Corrections by Tina Drescher on 12/1/94 (mk) (Entered: 12/09/1994)
12/02/1994	10	Affidavit of service of Letter dtd. 12/1/94, Civil Cover Sheet, Order to Show Cause, Affdvts & Memo in Support as to Com. of Corr. N.Y.C. by Mr. Gilbert Jamison on 12/1/94 (mk) (Entered: 12/09/1994)
12/08/1994	11	STIPULATION and ORDER, Motion hearing 9:30 12/15/94 for [3-1] motion for preliminary injunction against defts etc. , pending the hearing the temporary restraining order signed by Judge Robert W. Sweet on 11/30/94 is extended, except that defts may take steps to transfer plttf to State custody , without prejudice to plttf's agruments concerning the administrative segregation provisions of Dept. Directive #4914, that, if plttf is transferred to State custody prior to the date of hearing, the plttf will be placed in Downstate C.F...plttf's hair & beard will not be cut or otherwise removed...plttf's right to observe his religious practices will be reasonably accomodated , defts' papers, if any, in opposition to plttf's motion for a preliminary injuction to be served by 12/14/94 @10:00 , plttf's reply papers, if any, to be served by 12/15/94 @9:30. (signed by Judge Harold Baer Jr.). (lam) (Entered: 12/15/1994)
12/09/1994	7	SUPPLEMENTAL MEMORANDUM by Shlomo Helbrans in support of [3-1] motion for preliminary injunction against defts etc. (mk) (Entered: 12/09/1994)
12/09/1994	8	AUTHORITIES CITED IN PLTFF'S SUPPLEMENTAL MEMO OF LAW IN SUPPORT OF APPLICATION FOR PRELIMINARY INJUNCTION (mk) (Entered: 12/09/1994)
12/12/1994	12	AMENDED COMPLAINT by Shlomo Helbrans , (Answer due 12/25/94 for Com. of Corr. N.Y.C., for Ward. of Rikers Isl., for Comm. of Corr. Serv.) amending [1-1] complaint ; Summons issued. (lam) (Entered: 12/12/1994)

		12/16/1994)
12/12/1994	15	Flid. WRIT AD TESTIFICANDUM to the Warden of Rikers Island, NIC Facility: to produce the body of Schlomo Helbrans, Inmate #1119400731, at the U.S. Courthouse, Foley Square, NY, NY befor Hon. Harold Baer, U.S. Dist. Judge, on 12/15/94 at 9:30 (mk) (Entered: 12/19/1994)
12/15/1994	13	REPLY MEMORANDUM by Shlomo Helbrans in further SUPPORT of [3-1] motion for preliminary injunction against defts etc. (lam) (Entered: 12/16/1994)
12/15/1994	14	AFFIDAVIT in further SUPPORT of Alexandra C. Kambouris, an atty by Shlomo Helbrans Re: [3-1] motion for preliminary against defts etc. (lam) (Entered: 12/16/1994)
12/15/1994		Motion hearing held re: [3-1] motion for preliminary injunction against defts etc. (mk) (Entered: 12/19/1994)
12/19/1994		Pre-trial conference held before Judge Baer (ls) (Entered: 12/30/1994)
12/20/1994	16	ORDER, State defendant's expert and counsel are permitted to be present when plaintiff's expert photographs Rabbi Shlomo Helbrans at Rikers Island, on Wednesday, December 21, 1994, at approximately 9:00 a.m. (signed by Judge Harold Baer Jr.); Copies mailed (jr) (Entered: 01/03/1995)
12/28/1994		Pre-trial conference held (rag) (Entered: 01/06/1995)
01/09/1995	17	STIPULATION and ORDER, that all claims in the complaint, excluding claims for costs & atty fees, are hereby settled... (signed by Judge Harold Baer Jr.). (lam) (Entered: 01/11/1995)
02/07/1995	18	Transcript of record of proceedings filed for dates of 12/15/94 (rag) (Entered: 02/07/1995)
02/24/1995	19	NOTICE OF MOTION by Shlomo Helbrans for attorney fees , Return date 2/9/95 (djc) (Entered: 02/27/1995)
02/24/1995	20	AFFIDAVIT in support of Nicholas A. Gravante by Shlomo Helbrans Re: [19-1] motion for attorney fees (djc) (Entered: 02/27/1995)
02/24/1995	21	MEMORANDUM by Shlomo Helbrans in support of [19-1] motion for attorney fees (djc) (Entered: 02/27/1995)
02/24/1995	22	AFFIDAVIT in support of Gerald L. Shargel by Shlomo Helbrans Re: [19-1] motion for attorney fees (djc) (Entered: 02/27/1995)
03/24/1995	23	AFFIDAVIT in opposition of Valerie Singleton by Comm. of Corr. Serv. Re: [19-1] motion for attorney fees (cd) (Entered: 03/29/1995)
03/24/1995	24	MEMORANDUM by Comm. of Corr. Serv. in opposition to [19-1] motion for attorney fees (cd) (Entered: 03/29/1995)
04/14/1995	25	REPLY AFFIDAVIT in support of Jack G. Stern Re: [19-1] motion for

		attorney fees (dj) (Entered: 04/21/1995)
04/14/1995	26	MEMORANDUM by Shlomo Helbrans in support of [19-1] motion for attorney fees (dj) (Entered: 04/21/1995)
05/19/1995	27	OPINION AND ORDER# 74779 granting [19-1] motion for attorney fees. The fees requested, however, shall be reduced by the amount specified in this opinion. After recalculating the submitted bill, and allowing for reasonable disbursements, Helbrans' fees total \$55,540.36. The Clerk is directed to mark this action as closed on docket. (Signed by Judge Harold Baer Jr.); Copies mailed.(gave orig. doc. to Judgment Clerk on 5/22/95) (kg) (Entered: 05/22/1995)
05/26/1995	28	JUDGMENT # 95,1090,.....ORDERED, ADJUDGED AND DECREED: that the plttf Shlomo Helbrans counsel have judgment as against defts Comm. of Corr. Serv., Ward. of Rikers Isl., Com. of Corr. N.Y.C. in the reduced sum of \$55,540.36, for attorneys' fees. EOD:5/31/95. (SO ORDERED CLERK, JAMES M. PARKISON) Mailed copies and notice of right to appeal. (kg) Modified on 05/31/1995 (Entered: 05/31/1995)
05/26/1995		Case closed. (kg) (Entered: 05/31/1995)
06/07/1995		Pre-trial conference held (rag) (Entered: 06/15/1995)
06/09/1995	29	NOTICE OF MOTION by Shlomo Helbrans for a supplemental award of attorneys' fees & expenses purs.to 42 USC 1988 & Rule 54(d)(2), FRCP, in the total amount of \$14,000.00 for services provided by Duker & Barrett relating to litigation concerning the fee application in this matter W/attchd. AFFIDAVIT of Nicholas A. Gravante, Jr., Return date 6/29/95 (mk) (Entered: 06/14/1995)
06/09/1995	30	MEMORANDUM by Shlomo Helbrans in support of [29-1] motion for a supplemental award of attorneys' fees & expenses purs.to 42 USC 1988 & Rule 54(d)(2), FRCP, in the total amount of \$14,000.00 for services provided by Duker & Barrett relating to litigation concerning the fee application in this matter (mk) (Entered: 06/14/1995)
07/12/1995		Settlement conference held (rag) (Entered: 07/20/1995)
09/13/1995	31	STIPULATION and ORDER by and between parties, withdrawing [29-1] motion for a supplemental award of attorneys' fees & expenses purs.to 42 USC 1988 & Rule 54(d)(2), FRCP, in the total amount of \$14,000.00 for services provided by Duker & Barrett relating to litigation concerning the fee application in this matter, defendants shall pay plaintiffs counsel, Duker & Barrett, L.L.P., the sum of \$9,000.00 to cover supplemental costs and attorney fees , on or before 90 days form the entry of this Order, Defendants shall remit to Duker & Barrett, L.L.P., the sum of \$64,540.36, consisting of the Courts original award of \$55,540.36 in ists and attorneys fees and... and.....So Ordered...(signed by Judge Harold Baer Jr.). (pl) (Entered: 09/18/1995)

PACER Service Center			
Transaction Receipt			
09/16/2005 14:55:45			
PACER Login:	hs0328	Client Code:	
Description:	Docket Report	Search Criteria:	1:94-cv-08662-HB
Billable Pages:	3	Cost:	0.24
